

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TRUEPOSITION, INC.,

Plaintiff,

v.

LM ERICSSON TELEPHONE CO., et al.,

Defendants.

Case No. 11-4574

AMENDMENT TO THE AFFIDAVIT FOR ENTRY OF DEFAULT

TO: THE CLERK OF COURT

Pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, Plaintiff TruePosition, Inc. (“TruePosition”) previously requested that you enter the default of Defendant Third Generation Partnership Project a/k/a 3GPP (“3GPP”) for failure to appear, answer, plead in or otherwise defend. The Affidavit for Entry of Default (“Affidavit”) annexed thereto at Exhibit “A” included a typographical error at paragraph 2. TruePosition requests that paragraph 2 of the November 14, 2011 Affidavit be amended to as follows:

“Service was attempted via registered mail at Third Generation Partnership Project’s (“3GPP”) office at 650 Route des Lucioles, 06921 Sophia-Antipolis Cedex, France on July 22, 2011 pursuant to Federal Rule of Civil Procedure 4(f)(1).” Paragraph 2 previously stated that service was attempted “pursuant to Federal Rule of Civil Procedure 4(f)(3).”

Date: November 23, 2011

Respectfully submitted,

s/John G. Harkins, Jr.

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TRUEPOSITION, INC.)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:11-cv-4574 (RK)
)	
LM ERICSSON TELEPHONE COMPANY,)	
)	
QUALCOMM INC.,)	
)	
ALCATEL-LUCENT, S.A.,)	
)	
THIRD GENERATION PARTNERSHIP)	
PROJECT a/k/a 3GPP,)	
)	
and)	
)	
EUROPEAN TELECOMMUNICATIONS)	
STANDARDS INSTITUTE)	
)	
Defendants.)	

**DECLARATION OF JOHN G. HARKINS, JR. IN SUPPORT OF THE AMENDMENT
TO THE AFFIDAVIT FOR ENTRY OF DEFAULT**

I, John G. Harkins, Jr., Esquire, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746:

1. I am an attorney at the law firm of Harkins Cunningham, one of the attorneys for Plaintiff TruePosition, Inc. in this action.
2. Paragraph 2 of my previous Affidavit dated November 14, 2011 included a typographical error.

3. Paragraph 2 should state: “Service was attempted via registered mail at Third Generation Partnership Project’s (“3GPP”) office at 650 Route des Lucioles, 06921 Sophia-Antipolis Cedex, France on July 22, 2011 pursuant to Federal Rule of Civil Procedure 4(f)(1).”

4. Paragraph 2 previously stated that service was attempted “pursuant to Federal Rule of Civil Procedure 4(f)(3).”

I declare under penalty of perjury that the foregoing is true and correct and that this Declaration is executed on November 23, 2011, in Philadelphia, Pennsylvania.

s/John G. Harkins, Jr.
John G. Harkins, Jr.

CERTIFICATE OF SERVICE

I, Evelyn R. Protano, hereby certify that on November 23, 2011, I caused true and correct copies of the Amendment of the Affidavit for Entry of Default of Plaintiff TruePosition, Inc. to be served upon the following by the Court's ECF system:

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s/Evelyn R. Protano
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